

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:)
) Case No. 08-35653-KRH
CIRCUIT CITY STORES, INC., et al.,) Jointly Administered
) Chapter 11
Debtors.) Hon. Kevin R. Huennekens
)

MOTION FOR LEAVE OF COURT TO ATTEND HEARING BY TELEPHONE

Prosrite Business Solutions, LLC (“Prosrite”) creditor in the above-captioned chapter 11 cases, by and through its undersigned counsel, and pursuant to the Court’s Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 130], hereby moves for leave of Court to attend the March 30, 2009 hearing by telephone. In support thereof, Prosrite states as follows:

1. On November 10, 2008 (the “Petition Date”), the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”), filed voluntary petitions in this Court for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”).
2. On March 20, 2009, Prosrite filed a motion titled “Motion to Allow Administrative Expense Claim” (the “Motion”) [Docket No. 2715] in order to obtain this Court’s approval and allowance of Prosrite’s administrative expense claim.
3. A hearing on the Motion is scheduled for March 30, 2009.

Robert H. Chappell, III, Esquire (VSB #31698)
Jennifer J. West, Esquire (FSB # 47522)
Spotts Fain PC
411 East Franklin Street, Suite 600
Richmond, Virginia 23219
Tel: (804) 697-2000 Fax: (804) 697-2100
Counsel for Prosrite Business Solutions, LLC

Mary Elisabeth Naumann (KYB # 88328)
Jackson Kelly PLLC
175 E. Main St., Suite 500
Lexington, Kentucky 40507
Tel: (859) 255-9500 Fax: (859) 252-0688
Counsel for Prosrite Business Solutions, LLC

4. Prosite's lead counsel, Mary Elisabeth Naumann, has been representing Prosite in its negotiations with the Debtors and has a unique and complete understanding of the facts and circumstances related to the issues presented in the Motion.

6. On November 13, 2008, the Court entered an Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 130] (the "Order"). On page 5 of Exhibit A, the Order states:

(g) Upon request, the Court may allow counsel to listen to a hearing by telephone. If a matter is contested, counsel must attend in person, unless leave of the court is granted on a case by case basis.

7. Ms. Naumann will not be able to appear in person on March 30, 2009 due to prior commitments, and Prosite respectfully asks for leave of Court pursuant to the Order so that she may appear and participate by telephone with Virginia counsel present in the courtroom.

8. Based on Ms. Naumann's unique knowledge of the facts and legal arguments in this case, the ends of justice would be served by allowing Ms. Naumann to appear by telephone.

9. A Motion to Appear Pro Hac Vice has been filed on behalf of Ms. Naumann in this case.

WHEREFORE, Prosite respectfully requests that this Court grant this motion and enter an Order substantially in the form annexed hereto permitting Mary Elisabeth Naumann to appear and be heard by telephone at the hearing on March 30, 2009 on behalf of Prosite and granting such other relief as necessary and appropriate.

PROSITE BUSINESS SOLUTIONS, LLC

By: /s/ Jennifer J. West
Counsel

Robert H. Chappell, III, Esquire (VSB #31698)
Jennifer J. West, Esquire (VSB #47522)
Spotts Fain PC
411 East Franklin Street, Suite 600
Richmond, Virginia 23219
Phone: (804) 697-2000
Fax: (804) 697-2100

OF COUNSEL:

/s/ Mary Elisabeth Naumann (by Jennifer J. West with permission via email)
Mary Elisabeth Naumann (KY Bar #88328)
Jackson Kelly PLLC
175 East Main Street, Suite 500
Lexington, KY 40507
Phone: (859) 255-9500
Fax: (859) 252-0688

Counsel for Prosite Business Solutions, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was served by U.S. Mail, First Class, postage prepaid or electronic means on this the 20th day of March, 2009 to the following constituting all necessary parties:

Daniel F. Blanks
Douglas M. Foley
McGuireWoods LLP
9000 World Trade Center,
101 W. Main Street
Norfolk, VA 23510

Dion W. Hayes
Joseph S. Sheerin
Sarah Beckett Boehm
McGuireWoods LLP
One James Center
901 E. Cary Street
Richmond, VA 23219

Robert B. Van Arsdale
Office of the U.S. Trustee
701 East Broad Street, Suite 4304
Richmond, VA 23219

Gregg Galardi
Skadden Arps Slate Meagher & Flom LLP
One Rodney Square
Box 636
Wilmington, DE 19899

Brad R. Godshall
Jeffrey N. Pomerantz
Pachulski Stang Ziehl & Jones LLP
10100 Santa Monica Blvd., 11th Floor
Los Angeles, CA 90067

John D. Fiero
Pachulski Stang Ziehl & Jones LLP
150 California Street, 15th Floor
San Francisco, CA 94111

Lynn L. Tavenner
Paula S. Beran
Tavenner & Beran, PLC
20 North Eighth Street, 2nd Floor
Richmond, VA 23219

Robert J. Feinstein
Pachulski Stang Ziehl & Jones LLP
780 Third Ave., 36th Floor
New York, NY 10017

/s/ Jennifer J. West